

MIAMI TOWNSHIP BOARD OF TRUSTEES

OCTOBER 15, 2013

The Miami Township Board of Trustees met in regular session on Tuesday, October 15, 2013 at 7:00 PM. Trustee Karl Schultz called the meeting to order and the Pledge of Allegiance was led by Life Scout, Sam Schwear. The invocation was given by Charles Kline of Milford Christian Church. Fiscal Officer, Eric C. Ferry, called the roll. Attending were Trustees Karl Schultz, Ken Tracy and Mary Makley Wolff. Mr. Tracy made a motion to approve the minutes of the September 17, 2013 business meeting, September 23, 2013 special meeting, September 26, 2013 special meeting and the October 7, 2013 work session, seconded by Mrs. Wolff. Upon roll call, all voted "AYE."

Correspondence: None

Proclamations and Special Presentations: Interim Fire Chief, Trish Brooks, introduced Steve Kelly who will be sworn in as the new Fire Chief, tonight, and introduced Mr. Kelly's family and other departments that came for the swearing in ceremony. West Chester Police Chief, Eric Niehouse, swore in Steve Kelly as Miami Township Fire Chief, Chief Kelly's wife and daughter did the ceremonial pinning and retired Fire Chief Whitworth and Chief Kelly performed the ceremonial connecting of fire hoses. Chief Kelly thanked the Board for their confidence and trust in him and thanked his family and former colleagues. Chief Kelly stated he is looking forward to working with everyone at Miami Township.

Trustee Tracy stated that this November is Epilepsy Awareness Month and spoke of life challenges that epilepsy has on a family. Trustee Tracy asked Candace Lemke to come forward and presented her with a Proclamation recognizing November as Epilepsy Awareness Month. Ms. Lemke thanked the Board and the fire department for their help and support.

Life Scout, Sam Schwear of Troop 128, came forward to explain he is going to put in steps on a steep hill at Community Park to keep people from falling down the hill as a project to he can attain his rank of Eagle Scout.

Department Reports: A representative of each department presented a report of activities during the month of September 2013.

Community Development	Mr. Ethridge
Finance	Mr. Ferry
Fire/EMS	Chief Kelly
Police	Chief Bailey
Recreation	Mrs. Thibodeau
Service	Mr. Mantel
Administrator	Mr. Fronk and Mr. Braun

Old Business: Mr. Tracy made a motion to pay the bills of the Township with 222 checks numbered 115831 - 116037 and 17 electronic checks numbered 244 - 261 for the total amount of \$1,984,287.97 plus payroll and payroll taxes for the week of 09/14/2013 in the amount of \$389,421.48 and payroll and payroll taxes for the week of 09/28/2013 in the amount of \$350,453.12, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk advised the Board of the need for a Then and Now Certificate in the amount of \$1,879.19.

Mr. Tracy moved to adopt **Resolution 2013-43** authorizing the Township Fiscal Officer to issue and certify a Then and Now Certificate for payment of various expenditures totaling \$1,879.19, seconded by Mrs. Wolff with all voting "AYE".

For the Fire Department, Mr. Fronk advised the Board that Interim Chief Brooks completed a reorganization plan for senior management staff within the Fire & EMS Department and has proposed the following: Establish the position of Fire Marshal. The essential functions of this position will include supervision of fire inspections, fire code enforcement and plan review, among other responsibilities. Please see the attached job description. Eliminate one of the

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Assistant Fire Chief positions. Establish the position of Administrative Services Captain. The essential functions of this position will include scheduling of employees, payroll, supervision of employees on all shifts, respond to emergencies and the coordination of vehicle and facility maintenance among other responsibilities. Please see the attached job description. Move the Vehicle Maintenance Captain from his current 40 hour per week position to Shift Captain (24 hours on – 48 hours off). This shift will better utilize his firefighting and incident command skills.

Mr. Tracy made a motion to adopt the new job descriptions for the positions of Fire Marshal and Administrative Services Captain and to eliminate one Assistant Fire Chief position, seconded by Mrs. Wolff with all voting “AYE”.

Mr. Fronk recommended the Board implement this reorganization by placing employees into these positions which are: moving Assistant Chief Harold Thiele to the position of Fire Marshal effective October 27, 2013 and waiving the application process. There is no change in pay, moving Captain Rita Burroughs from Shift Captain to Administrative Services Captain effective October 13, 2013. There is no change in pay and moving Captain Dean Miracle from Vehicle Maintenance captain to Shift captain effective October 27, 2013. There is no change in pay.

Mr. Tracy moved to approve the placing of employees into the new positions, in the Fire Department, as recommended, seconded by Mrs. Wolff with all voting “AYE”.

In the Recreation Department, Mr. Fronk is recommending the Board grant a final offer of employment to Christopher Myers as probationary Building Monitor at \$10.00 per hour effective October 17, 2013.

Mr. Tracy moved to approve the Recreation personnel item as presented, seconded by Mrs. Wolff with all voting “AYE”.

Mr. Fronk advised staff has completed negotiations with the International Association of Firefighters Local 3768 on a mid contract amendment to their Collective Bargaining Agreement with regards to issues of injury on duty, hours of work and overtime, sick time and vacation. Mr. Fronk is recommending the Board adopt the amendments.

Mr. Tracy moved to approve the amendments to Articles 10, 11, 16 and 22 of the Labor Agreement between the Miami Township Board of Trustees and the International Association of Firefighters Local 3768, seconded by Mrs. Wolff with all voting “AYE”.

Mr. Fronk presented two contracts to the Board for their consideration. The first is the Fire Department is requesting approval of an agreement with the Underwriter Laboratories Company to test all the pumps on the engines, test all functions on the aerial truck and test all the ground ladders. The Agreement is not to exceed \$6,000.00.

Mr. Tracy moved to approve an Agreement between Miami Township and the UL Company for the purpose of inspecting and testing various fire department apparatus and equipment in an amount not to exceed \$6,000.00 and authorize the Township Administrator to execute the Agreement on behalf of the Board, seconded by Mrs. Wolff with all voting “AYE”.

The second contract is regarding health insurance. New Federal regulations have required our health insurance broker to execute an Agreement with clients relating to privacy and HIPAA. There is no cost associated with this agreement.

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Mr. Tracy moved to execute a Business Associate Agreement with the Marsh and McLennan Agency, LLC relating HIPAA privacy regulations and authorize the Township Administrator to execute the Agreement on behalf of the Board, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk explained the Recreation Department has been reviewing the existing applications, agreements and fees for reserving facilities and registering for classes and is recommending the Board make minor revisions addressing the condition the facilities must be left in after the rental and simplified fee schedules.

Mr. Tracy moved to approve the amendments to the Facility Rental Policies and Procedures for the Miami Township Civic Center, the Leming House and the Park Pavilions, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk explained the Ohio Department of Transportation will be replacing a culvert under US 50 and is requesting a .25 acre standard highway easement for drainage improvements that will include the new culvert, ditching along side of US 50 and the addition of riprap to the ditch. ODOT has appraised the .25 acre easement at \$3,555.00. Mr. Fronk is recommending the Board accept the offer, execute the Notice of Intent to Acquire and Good Faith Offer and authorize the Township Administrator, with the approval of the Law Director, to execute any and all documents associated with the granting of this standard highway easement.

Mr. Tracy moved to accept the offer of \$3,555.00 for a standard highway easement on Township property located on US 50, recommend the Board execute the Notice of Intent to Acquire and Good Faith Offer and authorize the Township Administrator, with approval of the Law Director, to execute any and all documents associated with the granting of this standard highway easement, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk advised the Board that they need to set a public hearing for Zoning Case #532 to rezone property from R-2 Single Family to R-PUD for the construction of a single family subdivision.

Mr. Tracy moved to set Monday, November 11, 2013 at 7:00 p.m. to hear Zoning Case #532, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk advised the Board of the need to renew seven (7) street lighting districts. Ashton Woods 3, Belle Meade Section 1, Belle Meade 3A, Belle Meade 3B, Belle Mead 4, Hunters Valley II/A & B and Millbrook Farms 1. Each will need their own motion to adopt a resolution.

Mr. Tracy made a motion to adopt **Resolution 2013-44** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Ashton Woods 3, seconded by Mrs. Wolff with all voting "AYE".

Mr. Tracy made a motion to adopt **Resolution 2013-45** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Belle Meade Section 1, seconded by Mrs. Wolff with all voting "AYE".

Mr. Tracy made a motion to adopt **Resolution 2013-46** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Belle Meade Section 3A, seconded by Mrs. Wolff with all voting "AYE".

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Mr. Tracy made a motion to adopt **Resolution 2013-47** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Belle Meade Section 3B, seconded by Mrs. Wolff with all voting "AYE".

Mr. Tracy made a motion to adopt **Resolution 2013-48** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Belle Meade Section 4, seconded by Mrs. Wolff with all voting "AYE".

Mr. Tracy made a motion to adopt **Resolution 2013-49** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Hunters Valley II/A&B, seconded by Mrs. Wolff with all voting "AYE".

Mr. Tracy made a motion to adopt **Resolution 2013-50** a Resolution providing for the Procurement of a Street Lighting System, Dispensing with the Second Reading and Declaring an Emergency for Millbrook Farm 1, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk advised the Board that during an internal audit, by the Service Department, it was found that a speed survey has never been conducted on certain streets that are totally within platted subdivisions and the Township has the authority to conduct the study and set a new speed limit. Mr. Fronk is recommending the speed limit be lowered from 55 mph to 25 mph on Roan Road, Sorrell Lane, Pinto Place Section B & C, Candy Lane, Carolyn Lane, Christy Lane, Cindy Lane, Cedar Ridge Drive Section 4, Oak Bark Court Section B and Hillside Terrace Section C.

Mr. Tracy made a motion to adopt **Resolution 2013-51** a resolution lowering the speed limit on certain streets in Miami Township, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk explained the Moving Ohio Forward program that is through the Office of the Ohio Attorney General designed to help communities remove abandoned and blighted structures in order to reclaim neighborhoods. In 2013 Clermont County received \$1.175 million dollars for this program. The County will provide the funds and do most of the work to demolish the structure, the title search, environmental assessments, prepare bid and contract documents, bid the project and manage the demolition. Miami Township needs to adopt a resolution requesting to participate in the Moving Ohio Forward grant program.

Mr. Tracy made a motion to adopt **Resolution 2013-52** a resolution authorizing the Board of County Commissioners, Clermont County, Ohio to file an application with the Ohio Attorney General's Office to participate in the Moving Ohio Forward Grant Program, seconded by Mrs. Wolff with all voting "AYE".

Mr. Fronk explained the Board adopted a resolution regarding the Ohio Police and Fire Pension System and was unaware the rate increases were to include the years of 2014 and 2015. The previous resolution was for 2013 only. Mr. Fronk advised he has prepared an amended resolution including the 2014 and 2015 rates.

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Mr. Tracy made a motion to adopt Resolution 2013-53 a resolution amending Resolution 2013-38 restating the pension pick-up for members of the Ohio Police and Fire Pension Fund pursuant to Ohio Administrative Code Section 742-7-14(B), dispensing with the second reading, seconded by Mrs. Wolff with all voting "AYE".

Public Comment: Ms. Shirley Trester, of Maple Ridge, came forward to ask the Trustees to create a law against hunting on a half acre lot. Mr. Fronk stated he will discuss this with the Law Director and Police Chief and get back with her.

With no further business to come before the Board the meeting was adjourned at 8:14 p.m.

ATTEST: _____
Eric C. Ferry, Fiscal Officer

Karl Schultz, Chairperson